

Attorney Docket No. leap:130us
U.S. Patent Application No. 10/811,336
Reply to Office Action of December 28, 2006
Date: February 28, 2006

Remarks

Election/Restrictions

After a complete search, the Examiner found Claim 1 allowable over the prior art and rejoined withdrawn Claims 7 and 8 as they are dependent on the allowed Claim 1. At the Examiner's suggestion, the status of Claims 7 and 8 has been changed from "withdrawn" to "original".

Objections to the Drawings

The Examiner objected to the drawings under 37 CFR § 1.84 (p) (5) for not including reference nos. mentioned in the Detailed Description. Specifically, reference no. 40 stated in paragraph 0017 was not shown in any figure. Applicants have amended Figure 1 to show reference no. 40 referring to the base of the microscope. In addition, the Examiner noted that reference no. 13 was shown in Figure 2, but was not mentioned in the specification. Applicants have deleted reference no. 13 from Figure 1.

The Examiner objected to figures under 37 CFR § 1.84 (p) (4) for using the same reference no. to show two different features of the drawing. Specifically, in Figure 3, reference no. 47 designates both a pin and a rocker. Applicants have amended Figure 3 by deleting the reference no. 47 pointing to a pin and substituting reference no. 60. Reference no. 60 is used throughout the specification and the relevant figures to refer to a pin. Reference no. 47 still continues to refer to the rocker.

Applicants have amended Figures 4A-4C to have reference no. 46 refer to the entire rod 46. Applicants have also amended Figures 4B and 4C to add reference no. 50 to indicate screw 50. Finally, Applicants amended Figure 5 to indicate pin 60 on first gear wheel 28a.

The corrected figures are shown as Replacements Sheets attached in the Appendix following the conclusion of this Reply. Applicants respectfully request reconsideration and withdrawal of the objections to the figures

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Objections to the Specification

The Examiner objected to the specification because of the following informalities:

1. page 4, section 0013 – improper incorporation - no listing of the specific patent application number incorporated by reference. Applicants have amended section 0013 by adding U.S. Patent Application No. 10/811,344 to that section.
2. page 5, line 34 – “operating element 8 is” has been changed to “operating elements 8 are”;
3. page 6, line 31 – “3” has been changed to “6”;
4. page 8, line 8 – “Fig. 5” has been changed to “Fig. 4a”

In addition, sections 0019 and 0023 have been amended to correct minor grammatical errors. Applicants respectfully request reconsideration and withdrawal of the objections to the specification.

Objections to the Claims and Claim Amendments

The Examiner objected to the claims for the following informalities (corrections noted):

- a – In Claim 1, line 3 – the term “end” has been inserted after the word “first”;
- b – In Claim 3, line 2 – the term “end” has been inserted after the term “first”;
- c – In Claim 12 the terms “the pin” and “the first gear wheel” have been changed to “a pin” and “a first gear wheel”, respectively thereby establishing proper antecedent basis. In addition, the term “the” has been inserted before the term “rocker” to provide proper antecedent basis to that claim limitation;
- d – In Claim 13, the term “an thereby” has been changed to “and thereby”. In addition, Claim 13 has been amended to include the element “wherein the

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U.S. Patent Application No. 10/811,336
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adjustable stop mechanism comprises a rod, a spring for biasing the rod and a screw for adjusting and fixing a position of the rod” to provide proper antecedent basis for the term rod. Applicants respectfully point out that Claim 13 depends indirectly from Claim 1 and thus incorporates the adjustable stop mechanism of that claim.

- e – Applicants have cancelled Claim 19 and added the limitations of Claim 19 to Claim 14 thereby rendering the objections to Claim 19 moot.
- f – In Claim 21, line 2 the term “arm” has been inserted after the word “first”. In addition, Claim 21 has been amended to include the limitation “wherein the adjustable stop mechanism comprises a rod, a spring for biasing the rod and a screw for adjusting and fixing a position of the rod” to provide proper antecedent basis for the term “rod.”
- g – Claim 22 has been amended to depend from Claim 21 to provide proper antecedent basis for the term “first arm”. Also, the term “the” has been inserted before the term “rocker” to provide proper antecedent basis to that claim limitation.
- h – Claim 23 has been amended to depend from Claim 21 to provide proper antecedent basis for the terms “second arm” and “first gear wheel of the gear wheel arrangement”. Also, the term “the” has been inserted before the term “rocker” to provide proper antecedent basis to that claim limitation.
- i – Claim 24 has been amended to change the term “an thereby” to “and thereby”. In addition, the term “movement stage” has been changed to “movement of the stage”. In addition, Claim 24 depends indirectly from amended Claim 21 thus providing proper antecedent basis for the terms “the rod”, “the adjustment screw”, and “the adjustment stop”. The limitation “the microscope stand” has been deleted from Claim 24 rendering that objection moot. Finally, the term “the” has been inserted

Attorney Docket No. leap:130us
U.S. Patent Application No. 10/811,336
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before the term “rocker” thereby providing proper antecedent basis to that claim limitation.

In addition, Applicants have made the following amendments:

- 1 – Claim 9 has been amended to depend from Claim 5 and the term “a rocker” has been amended to “the rocker”.
- 2 – Claim 11 has been amended to insert the term “the” before the term “rocker” to provide proper antecedent basis to that claim limitation.

Applicants respectfully request reconsideration and withdrawal of the objections to the claims.

The § 102 (b) Rejections of Claims 14-16

The Examiner rejected Claims 14-16 as anticipated by U.S. Patent No. 4,482,221 to Clark. However, the Examiner noted that Claims 19 – 24 would be allowable if written to overcome the objections under §112, second paragraph and to include all the limitations of base Claim 14 and any intervening claims. Applicants have mended Claim 14 by including the limitations of Claims 15 and 19 and cancelling Claims 15 and 19. Claims 20-24 have been amended to depend from amended Claim 14 thereby rendering those claims allowable. Applicants respectfully request reconsideration and allowance of amended Claim 14, 16, and 20-24.

Allowable Claims

The Examiner indicated that Claims 1-13 would be allowable if amended to overcome the objections under § 112, second paragraph. As discussed above, Applicants have amended Claims 1-13 to remove the § 112 objections and request allowance of those claims.

Attorney Docket No. leap:130us
U.S. Patent Application No. 10/811,336
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Conclusion

Applicant respectfully submits that the present application is now in condition for allowance, which action is courteously requested. The Examiner is invited and encouraged to contact the undersigned attorney of record if such contact will facilitate an efficient examination and allowance of the application.

Respectfully yours,



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U.S. Patent Application No. 10/811,336
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Amendments to the Drawings

The attached sheet of drawings includes changes to Figs. 1, 2, 3, 4a, 4b, 4c, and 5. These sheets, which includes Figs. 1, 2, 3, 4a, 4b, 4c, and 5, replaces the original sheets including Figs. 1, 2, 3, 4a, 4b, 4c, and 5. Changes to the drawings are as follows:

Sheet 1 - Figure 1 – Reference No. 40 has been added to indicate the microscope base;

Sheet 2 – Figure 2 – Reference No. 13 has been deleted;

Sheet 3 – Figure 3 – Reference No. 47 indicating the pin has been replaced by Reference No. 60.

Sheet 4 – figure 4a – Reference No. 46 has been changed to indicate the whole rod;

Sheet 5-6 – Figure 4b -4c – Reference No. 50 has been added to indicate the screw; and

Sheet 7 – Figure 5 – Reference No. 60 has been added to indicate the pin.

Attachment: Replacement Sheets 1/9 through 7/9

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U.S. Patent Application No. 10/811,336
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APPENDIX